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*Attorneys for Defendant American Family Mutual Insurance Company*

**UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA**

TYLER JACOBSON, an individual,

Case No.:

**Plaintiff,**

V.

AMERICAN FAMILY MUTUAL  
INSURANCE COMPANY, a foreign  
corporation; XYZ Corporations I-X; and  
Partnerships I-X,

### Defendants.

## **NOTICE OF REMOVAL**

Defendant American Family Mutual Insurance Company (“American Family”), by and through counsel undersigned, submits this Notice of Removal pursuant to 28 U.S.C. § 1446(a) and provides the following grounds for removal.

1. This matter was commenced in the Superior Court of the State of Arizona in and for the County of Maricopa on October 30, 2017 with the filing of a Complaint, Certificate of Arbitration, Demand for Jury Trial, and Offer of Judgment.

2. The Summons, Affidavit of Service, Complaint, Certificate of Arbitration, Civil Cover Sheet, and Demand for Jury Trial constitutes all process and proceedings filed and served on American Family in the case, copies of which are attached hereto at Exhibit A.

3. Defendant American Family is a stock insurance company, whose parent company is AmFam Holdings, Inc., a wholly owned subsidiary of American Family Insurance Mutual Holding

1 Company, a domestic insurance holding company with its principal place of business and  
2 citizenship in the State of Wisconsin. Plaintiff Tyler Jacobson is a resident of the State of Arizona  
3 (*see* Complaint, attached as Exhibit A).

4 4. This action is one over which the United States District Courts have jurisdiction  
5 pursuant to 28 USC § 1332, by reason of the diversity of the citizenship of the parties.

6 5. Defendant American Family has not pled, answered, or otherwise appeared in this  
7 action.

8 6. Defendant American Family has filed this Notice within 30 days after receipt of the  
9 initial pleading setting forth the claim for relief upon which the action is based, and within one year  
10 after the commencement of the action. Removal is therefore timely pursuant to 28 U.S.C. §  
11 1446(b).

12 7. The amount in controversy exceeds the requisite \$75,000. (*See* Complaint, attached  
13 as Exhibit A).

14 8. A copy of this Notice is being filed with the Clerk of the Superior Court of the State  
15 of Arizona in and for the County of Maricopa.

16 WHEREFORE, Defendant American Family respectfully requests that this action be  
17 removed from the Superior Court of Arizona in and for the County of Maricopa to the United  
18 States District Court for the District of Arizona, and that further proceedings in the Superior Court  
19 of Arizona in and for the County of Maricopa regarding the action be stayed pursuant to 28 U.S.C.  
20 § 1446.

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1           Dated this 29<sup>th</sup> day of November, 2017.

2           **GRAIF BARRETT & MATURA, P.C.**

3  
4           By /s/ Kevin C. Barrett  
5           Kevin C. Barrett  
6           Amanda J. Taylor  
7           1850 North Central Avenue, Suite 500  
8           Phoenix, Arizona 85004  
9           *Attorneys for Defendant American Family*  
10          *Mutual Insurance Company*

9           ORIGINAL e-filed on  
10          November 29<sup>th</sup>, 2017 with:

11          Clerk of the Court  
12          Maricopa County Superior Court  
13          101 West Jefferson Street  
14          Phoenix, Arizona

15          COPY mailed this same date to:

16          Brett L. Slavicek  
17          James E. Fucetola  
18          Trevor R. Orme  
19          The Slavicek Law Firm  
20          5500 N. 24th Street  
21          Phoenix, AZ 85016  
22          *Attorneys for Plaintiff*

23          By: /s/Leanna Levine  
24          Leanna Levine